

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL GRIGGS,

No. 1:25-cv-00613-KES-SKO

Plaintiff,

ORDER DISMISSING ACTION WITH
PREJUDICE FOR FAILURE TO STATE
A CLAIM

v.

JOHN BANUELOS,

Doc. 7

Defendant.

Plaintiff Michael Griggs brought this action pro se and in forma pauperis pursuant to 42 U.S.C. § 1983. Docs. 1, 3. On May 28, 2025, the assigned magistrate screened plaintiff's complaint and found that it did not state a cognizable claim. Doc 4. The screening order instructed plaintiff that he could either file a first amended complaint curing the identified deficiencies or inform the Court that he wished to stand on his complaint. *Id.* On June 2, 2025, plaintiff notified the Court that he wished to stand on his complaint. Doc. 5. Accordingly, the assigned magistrate judge issued findings and recommendations recommending dismissal for failure to state a claim and recommending that the dismissal be without leave to amend. Doc. 6.

On June 27, 2025, the Court issued an order adopting the magistrate's findings and recommendations in part. The Court dismissed plaintiff's complaint for failure to state any cognizable claims but granted plaintiff leave to file an amended complaint within thirty days.

1 Doc. 7. That order was served on plaintiff by mail on June 27, 2025.

2 Plaintiff did not file an amended complaint and did not request an extension of time to do
3 so. As a result, there is no pleading on file which sets forth any claims upon which relief may be
4 granted.

5 Accordingly,

6 1. This action is dismissed with prejudice for failure to state a claim upon which relief
7 may be granted; and

8 2. The Clerk of the Court is directed to enter judgment and close the case.
9

10
11 IT IS SO ORDERED.

12 Dated: August 7, 2025



UNITED STATES DISTRICT JUDGE